

### REMARKS

Claims 1, 2 and 4-9 are pending in the present application. Claims 1, 2 and 4-9 have been rejected. Claim 1 has been amended. No new matter has been introduced by this amendment. Reconsideration and allowance is respectfully requested in view of the amendment and the following remarks.

#### The 35 U.S.C. §102(e) Rejection

Claims 1, 2 and 4-9 have been rejected under 35 U.S.C. § 102(b), as being anticipated by Leggiere (U.S. Patent No. 3,855,746). Applicant respectfully disagrees with the Examiner's contentions. The Leggiere reference does not disclose all of the elements of the claims. To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

The Leggiere reference discloses a device having a shape adaptable for use in interlocking the adjacent or near-abutting ends of structural and surfacing components of a building. (Abstract) The Leggiere reference discloses a device having a substantially horizontal base 24 with a substantially vertical extension 26 and the end 25 thereof and integral therewith. An L-shaped extension 27 is provided integral the inner surface 28 of the horizontal base in spaced relation to the vertical extension 26 to form a slot with the horizontal base for receptive engagement of the surfacing component 23. A second slot is formed by the inner surface 31 of the L-shaped extension 27 with both the inner surface of the horizontal base 28 and the vertical exteriors 29 for receptive engagement of a structural component. (Col. 2, line 62 through Col. 3, line 8) The Leggiere reference also discloses a vertical extension integral with the free end 35 of the horizontal base 24 adjacent the inner surface thereof 28. (Col. 3, lines 16-20)

Claim 1, as amended, recites "...each of said at least two projecting elements comprising a

flange formed integral an end of each of said at least two projecting elements, wherein a portion of each said flange is substantially perpendicular to said traversing element and another portion of said flange is substantially parallel with said traversing element..." The Leggiere reference does not teach as claimed. The Leggiere reference does not teach a flange integral the projecting element. Since the Leggiere reference does not teach all the elements of Claim 1, Claim 1 is not anticipated by the Leggiere reference. Therefore, claims 2 and 4-9 are not anticipated by the Leggiere reference. Reconsideration and withdrawal of this rejection is respectfully requested.

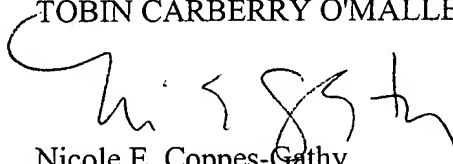
Further remarks regarding the asserted relationship between Applicant's claims and the prior art are deemed not necessary, in view of the foregoing discussion. Applicant's silence as to any of the Examiner's comments is not indicative of acquiescence to the stated grounds of rejection.

#### Request for Allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,

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Dated: May 9, 2006

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#### Certificate of Mailing

*I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 9, 2006.*

Signed:



Sarah K. Ackley